

In the United States Patent and Trademark Office
Board of Patent Appeals and Interferences

Appeal Brief

In re the Application of:

Michael Wayne BROWN, Rabindranath DUTTA, and Michael A. PAOLINI
Serial No. 10/042,049
Filed: January 8, 2002
Attorney Docket No. AUS920000718US1

METHOD, SYSTEM, AND PROGRAM FOR PROVIDING INFORMATION ON
SCHEDULED EVENTS TO WIRELESS DEVICES

Submitted by:

Konrad, Raynes & Victor LLP
315 So. Beverly Dr., Ste. 210
Beverly Hills CA 90212
(310) 556-7983
(310) 556-7984 (fax)

TABLE OF CONTENTS

I.	Real Party in Interest.....	1
II.	Related Appeals, Interferences, and Judicial Proceedings.....	1
III.	Status of the Claims	1
IV.	Status of Amendments	1
V.	Summary of the Claimed Subject Matter.....	1
	A. Independent Claim 1	1
	B. Independent Claim 8	3
	C. Independent Claim 13	4
	D. Independent Claim 21	6
	E. Independent Claim 23	8
	F. Dependent Claim 26	10
	G. Independent Claim 27	10
	H. Independent Claim 33	12
	I. Independent Claim 40	13
	J. Independent Claim 45	15
VI.	Grounds of Rejection to Be Reviewed on Appeal.....	16
VII.	Argument	17
	A. Rejection Under 35 U.S.C. §102 as Anticipated by Berenson	17
	1. Claims 1, 2, 6, 21, 33, 34, 38	17
	2. Claims 3 and 35	21
	3. Claims 5, 22, and 37	21
	4. Claims 7 and 39	22
	5. Claims 8, 10, 23, 24, 40, and 42	23
	6. Claims 9 and 41	25
	7. Claims 11, 25, and 43	26
	8. Claims 13, 14, 15, 16, 27, 28, 45, 46, 47, and 48	26
	B. Rejection Under 35 U.S.C. §103 as Obvious Over Berenson in view of Extended Systems	28
	1. Claims 4 and 36	28
	C. Rejection Under 35 U.S.C. §103 as Obvious Over Berenson in view of Ciarlante	
	29	
	1. Claims 12, 26, and 44	29
VIII.	Conclusion	30
IX.	Claims Appendix	31
X.	Evidence Appendix.....	44
XI.	Related Proceedings Appendix	45

I. Real Party in Interest

The entire right, title and interest in this patent application are assigned to real party in interest International Business Machines Corporation.

II. Related Appeals, Interferences, and Judicial Proceedings

Appellant, Appellant's legal representative, and Assignee are not aware of any other prior or pending appeals, interferences, and judicial proceedings which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. Status of the Claims

Claims 1-17, 19-29, 31-49, 51, and 52 are pending and have been rejected.

Claims 18, 30, and 50 are canceled.

The final rejection dated September 21, 2006 ("FOA") of the claims is being appealed for all pending claims 1-17, 19-29, 31-49, 51, and 52.

IV. Status of Amendments

Applicants submit with the filing of this Appeal Brief an Amendment pursuant to 37 CFR 41.33(b) to cancel claims 17, 19, 20, 29, 31, 32, 49, 51, and 52. Applicants request entry of this Amendment because cancelling these claims does not affect the scope of any other pending claim. The Examiner has not yet ruled on the entry of this amendment.

V. Summary of the Claimed Subject Matter

A. Independent Claim 1

Independent claim 1 is directed to a method implemented by a wireless device to provide information on a scheduled event in a personal information manager (PIM) application. With respect to the preamble, the Specification discloses a wireless device 2 having a PIM client 20 program that provides information on scheduled events. (Specification, FIG. 1, pg. 6, line 10 to pg. 7, line 2).

The first limitation claim requires that the wireless device receives a code provided with a promotion of a promoted event sponsored by a third party entity. With respect to this limitation, the Specification discloses that an event code may be entered at the wireless device 2 manually, by speech, from an audio signal, infrared, etc. (Spec., pg. 18, lines 13-23; pg. 21, lines 19-30) Further, the wireless device may receive an event list from a location transmitter. (Spec., pg. 20, lines 15-20) With respect to the requirement of a promoted event sponsored by a third party entity, the Specification further discloses than an event promoter seeking to provide scheduled event records on an event may comprise a commercial or non-commercial entity. (Spec., pg. 17, lines 21-25, pg. 18, lines 1-10)

The second limitation requires that the wireless device transmits the received code to a server including a calendar database having personal calendar information for a user of the transmitting wireless device including scheduled event records. With respect to this limitation, the Specification discloses that the PIM server 524, which is included in the server 504, receives an event code transmitted by a wireless device. (Spec., pg. 18, lines 12-13, block 550, FIG. 11). The Specification discloses that the server 504 includes a PIM database as shown in FIG. 10, where the PIM database has user records 50 shown in FIG. 2 that have scheduled events and calendar information. (Spec., pg. 17, line 26 to pg. 18, line 10; pg. 18, line 28 to pg. 19, line 1)

With respect to the requirement that the server maintains an association of promoted event codes with third party entities sponsoring the promoted events, the Specification discloses that the server 504 has an event code table 526 providing a mapping of event codes to scheduled event records from event promoters. (Spec., pg. 17, line 28 to pg. 18, line 10)

With respect to the requirement that the received code is provided from a source external to the server, the Specification discloses that the promotion of the event that may provide a code may be observed (Spec., pg. 17, lines 14-21) or transmitted from a location transmitter 610 (Spec., pg. 20, lines 15-21, FIG. 13) or transmitted from some external device via a wireless transmission. (Spec., pg. 21, lines 28-29)

With respect to the claim limitation that the wireless device receives from the server a scheduled event record including information on the promoted event associated

with the code, the Specification discloses that once the scheduled event corresponding to the event code is added to user records, the user may review the scheduled event at the wireless device. (Spec., pg. 18, line 23 to pg. 19, line 1, pg. 21, lines 13-18)

With respect to the claim limitation that the wireless device renders calendar information from the calendar database at the wireless device including information on the scheduled event included in the scheduled event record, the Specification discloses the user may review the scheduled event at the wireless device, such as shown in FIG. 12. (Spec., pg. 18, line 27 to pg. 19, line 29)

B. Independent Claim 8

Independent claim 8 is directed to a method implemented by a server to provide scheduled events for users of wireless devices, wherein the wireless devices are capable of displaying calendar information on scheduled events. With respect to the preamble, the Specification discloses how the PIM server 24 in server 4 in FIG. 1 may transmit scheduled event records to a wireless device for a calendar time period. (Spec., pg. 15, lines 16-27).

The first limitation requires that the server maintain an association of codes with promoted events sponsored by third party entities. With respect to this requirement, the Specification discloses that the server 504 has an event code table 526 providing a mapping of event codes to scheduled event records from event promoters. (Spec., pg. 17, line 28 to pg. 18, line 10)

With respect to the requirement that the received codes are provided to the users of the wireless device from a source external to the server and with a promotion of a promoted event sponsored by a third party entity, the Specification discloses that the promotion of the event that may provide a code may be observed (Spec., pg. 17, lines 14-21) or transmitted from a location transmitter 610 (Spec., pg. 20, lines 15-21, FIG. 13) or transmitted from some external device via a wireless transmission. (Spec., pg. 21, lines 28-29)

With respect to the requirement that the server maintain a calendar database having personal information for the users of the wireless devices, the Specification

discloses that the server 4 has a PIM database 22 having user PIM information. (Spec., pg. 7, lines 3-8).

With respect to the requirement that the server receive a code associated with one promoted event sponsored by one third party entity transmitted from one of the wireless devices, the Specification discloses at block 550 in FIG. 11 that the PIM server 524 receives an event code from the wireless device 502. (Spec., pg. 18, lines 12-13).

With respect to the requirement that the server determines a scheduled event record including information on the promoted event corresponding to the received code, the Specification discloses that the server determines at block 552 in FIG. 11 from the event code table 526 the scheduled event record corresponding to the event code. (Spec., pg. 18, lines 23-25).

With respect to the requirement that the server adds the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code, the Specification discloses that the server 524 adds at block 556 in FIG. 11 the determined scheduled event record to the user records of the wireless device that transmitted the code. (Spec., pg. 18, lines 23-27).

With respect to the requirement that the server transmits the determined scheduled event record to the wireless device that transmitted the code, the Specification discloses that the PIM server responds to data requests from PIM clients. (Spec., pg. 7, lines 24-26) and that once the scheduled event corresponding to the event code is added to user records, the user may review the scheduled event at the wireless device. (Spec., pg. 18, line 23 to pg. 19, line 1, pg. 21, lines 13-18)

With respect to the claim limitation that the wireless device is capable of rendering calendar information including information on the scheduled event included in the transmitted scheduled event record, the Specification discloses the user may review the scheduled event at the wireless device, such as shown in FIG. 12. (Spec., pg. 18, line 27 to pg. 19, line 29)

C. Independent Claim 13

Independent claim 13 is directed to a method implemented by a wireless device to provide information on a scheduled event to a personal information manager (PIM)

application. With respect to the preamble, the Specification discloses a wireless device 2 having a PIM client 20 program that provides information on scheduled events. (Specification, FIG. 1, pg. 6, line 10 to pg. 7, line 2).

The first limitation requires that the wireless device receives a scheduled event record including information on a scheduled event transmitted from a transmitter system for a promoted event sponsored by a third party entity including at least one scheduled event record when the wireless device is within a broadcast range of the transmitter system. With respect to this limitation, the Specification discloses that the wireless device 602 upon establishing communication with the location transmitter 610 receives an event list and receive scheduled event records 612a...n from the location transmitter 610 concerning events promoted by event promoters. (Spec., pg. 20, line 1 to pg. 21, line 18).

The second limitation requires that the wireless device render calendar information including information on the promoted event included in the scheduled event record. With respect to this limitation, the Specification discloses that the wireless device renders at block 680 in FIG. 14 the scheduled event records for calendar display. (Spec., pg. 21, lines 1-6)

The third limitation requires that the wireless device transmit the scheduled event record for the promoted event to a server including a calendar database for a user of the transmitting wireless device including scheduled event records, wherein the server stores the transmitted scheduled event record for the promoted event with the calendar database records for the user of the wireless. With respect to this requirement, the Specification discloses that the wireless device 602 synchronizes with the PIM database 622 in the PIM server and transmits new information, such as scheduled event records 612a...n received from the location transmitter. (Spec., pg. 21, lines 3-6). The Specification discloses that the server 504 includes a PIM database as shown in FIG. 10, where the PIM database has user records 50 shown in FIG. 2 that have scheduled events and calendar information. (Spec., pg. 17, line 26 to pg. 18, line 10; pg. 18, line 28 to pg. 19, line 1)

D. Independent Claim 21

Independent claim 21 is directed to a wireless device to provide information on a scheduled event in a personal information manager (PIM) application. With respect to the preamble, the Specification discloses a wireless device 2 having a PIM client 20 program that provides information on scheduled events. (Specification, FIG. 1, pg. 6, line 10 to pg. 7, line 2).

The first limitation claim requires means for receiving a code provided with a promotion of a promoted event sponsored by a third party entity. With respect to this limitation, the Specification discloses that an event code may be entered at the wireless device 2 manually, speech, from an audio signal, infrared, etc. (Spec., pg. 18, lines 13-23; pg. 21, lines 19-30) Further, the wireless device may receive an event list from a location transmitter. (Spec., pg. 20, lines 15-20) With respect to the promoted event sponsored by a third party entity requirement, the Specification further discloses than an event promoter seeking to provide scheduled event records on an event may comprise a commercial or non-commercial entity. (Spec., pg. 17, lines 21-25, pg. 18, lines 1-10)

The first limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for receiving the code comprises the communication layer 12 of the wireless device 2 (Spec., FIG. 1, pg. 5, lines 7-20), the wireless device 502 of FIG. 10, and components of the wireless device.

The second limitation requires means for transmitting the received code to a server including a calendar database having personal calendar information for a user of the transmitting wireless device including scheduled event records. With respect to this limitation, the Specification discloses that the PIM server 524, which is included in the server 504, receives an event code transmitted by a wireless device. (Spec., pg. 18, lines 12-13, block 550, FIG. 11). The Specification discloses that the server 504 includes a PIM database as shown in FIG. 10, where the PIM database has user records 50 shown in FIG. 2 that have scheduled events and calendar information. (Spec., pg. 17, line 26 to pg. 18, line 10; pg. 18, line 28 to pg. 19, line 1)

The second limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for transmitting the received code

comprises the communication layer 12 of the wireless device 2 (Spec., FIG. 1, pg. 5, lines 7-20), the wireless device 502 of FIG. 10, and components of the wireless device.

With respect to the requirement that the server maintains an association of promoted event codes with third party entities sponsoring the promoted events, the Specification discloses that the server 504 has an event code table 526 providing a mapping of event codes to scheduled event records from event promoters. (Spec., pg. 17, line 28 to pg. 18, line 10)

With respect to the requirement that the received code is provided from a source external to the server, the Specification discloses that the promotion of the event that may provide a code may be observed (Spec., pg. 17, lines 14-21) or transmitted from a location transmitter 610 (Spec., pg. 20, lines 15-21, FIG. 13) or transmitted from some external device via a wireless transmission. (Spec., pg. 21, lines 28-29)

The third limitation requires means for receiving from the server a scheduled event record including information on the promoted event associated with the code. With respect to this limitation, the Specification discloses that once the scheduled event corresponding to the event code is added to user records, the user may review the scheduled event at the wireless device. (Spec., pg. 18, line 23 to pg. 19, line 1, pg. 21, lines 13-18)

The third limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for receiving from the server the scheduled event record comprises the communication layer 12 of the wireless device 2 (Spec., FIG. 1, pg. 5, lines 7-20), the wireless device 502 of FIG. 10, and components of the wireless device.

The fourth claim limitation requires means for rendering calendar information from the calendar database at the wireless device including information on the scheduled event included in the scheduled event record. With respect to this limitation, the Specification discloses that the user may review the scheduled event at the wireless device, such as shown in FIG. 12. (Spec., pg. 18, line 27 to pg. 19, line 29)

The fourth limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for rendering the calendar information comprises the wireless device 2 (Spec., FIG. 1, pg. 5, lines 7-20), the wireless device 502

of FIG. 10, components of the wireless device, and calendar displays shown in FIGs. 8, 9a, 9b. (Spec., pg. 18, line 28 to pg. 19, line 1)

E. Independent Claim 23

Independent claim 23 is directed to a server system providing scheduled events for users of wireless devices, wherein the wireless devices are capable of displaying calendar information on scheduled events. With respect to the preamble, the Specification discloses that the PIM server 24 in server 4 in FIG. 1 may transmit scheduled event records to a wireless device for a calendar time period. (Spec., pg. 15, lines 16-27).

The first limitation requires means for maintaining an association of codes with promoted events sponsored by third party entities. With respect to this requirement, the Specification discloses that the server 504 has an event code table 526 providing a mapping of event codes to scheduled event records from event promoters. (Spec., pg. 17, line 28 to pg. 18, line 10)

The first limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for maintaining an association of codes comprises the server 504 and event code table 526. (Spec., FIG. 10, pg. 17, line 26 to pg. 18, line 10)

With respect to the requirement that the received codes are provided to the users of the wireless device from a source external to the server and with a promotion of a promoted event sponsored by a third party entity, the Specification discloses that the promotion of the event that may provide a code may be observed (Spec., pg. 17, lines 14-21) or transmitted from a location transmitter 610 (Spec., pg. 20, lines 15-21, FIG. 13) or transmitted from some external device via a wireless transmission. (Spec., pg. 21, lines 28-29)

The second limitation requires means for maintaining calendar database having personal information for the users of the wireless devices. With respect to this limitation, the Specification discloses that the server 4 has a PIM database 22 having user PIM information. (Spec., pg. 7, lines 3-8).

The second limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for maintaining the calendar database comprises the server 4 and PIM database 22 having user PIM information (Spec., pg. 7, lines 3-8) and the server 504 having PIM database 522. (Spec. FIG. 10, pg. 17, line 26 to pg. 18, line 10)

The third limitation requires means for receiving a code associated with one promoted event sponsored by one third party entity transmitted from one of the wireless devices. With respect to this limitation, the Specification discloses at block 550 in FIG. 11 that the PIM server 524 receives an event code from the wireless device 502. (Spec., pg. 18, lines 12-13).

The third limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for receiving the code comprises the PIM server 524 of FIG. 10.

The fourth limitation requires means for determining a scheduled event record including information on the promoted event corresponding to the received code. With respect to this limitation, the Specification discloses that the server 524 determines at block 552 in FIG. 11 from the event code table 526 the scheduled event record corresponding to the event code. (Spec., pg. 18, lines 23-25).

The fourth limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for determining a scheduled event comprises the PIM server 524 of FIG. 10.

The fifth limitation requires that the server adds the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code. With respect to this limitation, the Specification discloses that the server 524 adds at block 556 in FIG. 11 the determined scheduled event record to the user records of the wireless device that transmitted the code. (Spec., pg. 18, lines 23-27).

The sixth limitation requires means for transmitting the determined scheduled event record to the wireless device that transmitted the code. With respect to this limitation, the Specification discloses that the PIM server 524 responds to data requests from PIM clients. (Spec., pg. 7, lines 24-26) and that once the scheduled event corresponding to the event code is added to user records, the user may review the

scheduled event at the wireless device. (Spec., pg. 18, line 23 to pg. 19, line 1, pg. 21, lines 13-18)

The sixth limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for transmitting the scheduled event record comprises the PIM server 524 of FIG. 10.

With respect to the claim limitation that the wireless device is capable of rendering calendar information including information on the scheduled event included in the transmitted scheduled event record, the Specification discloses the user may review the scheduled event at the wireless device, such as shown in FIG. 12. (Spec., pg. 18, line 27 to pg. 19, line 29)

F. Dependent Claim 26

Claim 26 depends from claim 23 and further requires means for charging a fee to the event promoter to include one scheduled event record in the data structure in order to make scheduled event records for the promoter available to wireless devices in response to transmissions of the code associated with the scheduled event record.

The limitation is written in “means language”. The acts disclosed in the Specification corresponding to the means for charging a fee comprises the vendor paying a fee to the PIM database 522 provider. (Spec., pg. 18, lines 5-10).

G. Independent Claim 27

Independent claim 27 is directed to a wireless device for providing information on a scheduled event to a personal information manager (PIM) application. With respect to the preamble, the Specification discloses a wireless device 2 having a PIM client 20 program that provides information on scheduled events. (Specification, FIG. 1, pg. 6, line 10 to pg. 7, line 2).

The first limitation requires means for receiving a scheduled event record including information on a scheduled event transmitted from a transmitter system for a promoted event sponsored by a third party entity including at least one scheduled event record when the wireless device is within a broadcast range of the transmitter system. With respect to this limitation, the Specification discloses that the wireless device 602

upon establishing communication with the location transmitter 610 receives an event list and receive scheduled event records 612a...n from the location transmitter 610 concerning events promoted by event promoters. (Spec., pg. 20, line 1 to pg. 21, line 18).

The first limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for receiving the scheduled event record from the transmitter system comprises the communication layer 12 of the wireless device 2 (Spec., FIG. 1, pg. 5, lines 7-20), the wireless device 502 of FIG. 10, and components of the wireless device.

The second limitation requires means for rendering calendar information including information on the promoted event included in the scheduled event record. With respect to this limitation, the Specification discloses that the wireless device renders at block 680 in FIG. 14 the scheduled event records for calendar display. (Spec., pg. 21, lines 1-6)

The second limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for rendering the calendar information comprises the wireless device 2 (Spec., FIG. 1, pg. 5, lines 7-20), the wireless device 502 of FIG. 10, components of the wireless device, and calendar displays shown in FIGs. 8, 9a, 9b. (Spec., pg. 18, line 28 to pg. 19, line 1)

The third limitation requires that the wireless device transmit the scheduled event record for the promoted event to a server including a calendar database for a user of the transmitting wireless device including scheduled event records, wherein the server stores the transmitted scheduled event record for the promoted event with the calendar database records for the user of the wireless. With respect to this requirement, the Specification discloses that the wireless device 602 synchronizes with the PIM database 622 in the PIM server and transmits new information, such as scheduled event records 612a...n received from the location transmitter. (Spec., pg. 21, lines 3-6). The Specification discloses that the server 504 includes a PIM database as shown in FIG. 10, where the PIM database has user records 50 shown in FIG. 2 that have scheduled events and calendar information. (Spec., pg. 17, line 26 to pg. 18, line 10; pg. 18, line 28 to pg. 19, line 1)

The third limitation is written in “means language”. The structure disclosed in the Specification corresponding to the means for transmitting the scheduled event record

comprises the wireless device 2 (Spec., FIG. 1, pg. 5, lines 7-20), the wireless device 502 of FIG. 10, components of the wireless device, and calendar displays shown

H. Independent Claim 33

Independent claim 33 is directed to an article of manufacture including a program implemented in a wireless device to provide information on a scheduled event in a personal information manager (PIM) application. The Specification discloses that the PIM client may be implemented as an article of manufacture comprising code or logic implemented in hardware logic, a computer readable medium, memory devices, optical storage, and accessible through a transmission media or from a file over a file server. (Spec., pg. 22, lines 5-23). The Specification discloses a wireless device 2 having a PIM client 20 program that provides information on scheduled events. (Specification, FIG. 1, pg. 6, line 10 to pg. 7, line 2).

The first limitation claim requires that wireless device receive a code provided with a promotion of a promoted event sponsored by a third party entity. With respect to this limitation, the Specification discloses that an event code may be entered at the wireless device 2 manually, speech, from an audio signal, infrared, etc. (Spec., pg. 18, lines 13-23; pg. 21, lines 19-30) Further, the wireless device may receive an event list from a location transmitter. (Spec., pg. 20, lines 15-20) With respect to the promoted event sponsored by a third party entity requirement, the Specification further discloses than an event promoter seeking to provide scheduled event records on an event may comprise a commercial or non-commercial entity. (Spec., pg. 17, lines 21-25, pg. 18, lines 1-10)

The second limitation requires that the wireless device transmits the received code to a server including a calendar database having personal calendar information for a user of the transmitting wireless device including scheduled event records. With respect to this limitation, the Specification discloses that the PIM server 524, which is included in the server 504, receives an event code transmitted by a wireless device. (Spec., pg. 18, lines 12-13, block 550, FIG. 11). The Specification discloses that the server 504 includes a PIM database as shown in FIG. 10, where the PIM database has user records 50 shown

in FIG. 2 that have scheduled events and calendar information. (Spec., pg. 17, line 26 to pg. 18, line 10; pg. 18, line 28 to pg. 19, line 1)

With respect to the requirement that the server maintains an association of promoted event codes with third party entities sponsoring the promoted events, the Specification discloses that the server 504 has an event code table 526 providing a mapping of event codes to scheduled event records from event promoters. (Spec., pg. 17, line 28 to pg. 18, line 10)

With respect to the requirement that the received code is provided from a source external to the server, the Specification discloses that the promotion of the event that may provide a code may be observed (Spec., pg. 17, lines 14-21) or transmitted from a location transmitter 610 (Spec., pg. 20, lines 15-21, FIG. 13) or transmitted from some external device via a wireless transmission. (Spec., pg. 21, lines 28-29)

The third limitation requires that the wireless device receives from the server a scheduled event record including information on the promoted event associated with the code. With respect to this limitation, the Specification discloses that once the scheduled event corresponding to the event code is added to user records, the user may review the scheduled event at the wireless device. (Spec., pg. 18, line 23 to pg. 19, line 1, pg. 21, lines 13-18)

The fourth limitation requires that the wireless device renders calendar information from the calendar database at the wireless device including information on the scheduled event included in the scheduled event record. With respect to this limitation, the Specification discloses the user may review the scheduled event at the wireless device, such as shown in FIG. 12. (Spec., pg. 18, line 27 to pg. 19, line 29)

I. Independent Claim 40

Independent claim 40 is directed to an article of manufacture including a program implemented in a server to provide scheduled events for users of wireless devices, wherein the wireless devices are capable of displaying calendar information on scheduled events. The Specification discloses that the PIM server may be implemented as an article of manufacture comprising code or logic implemented in hardware logic, a computer readable medium, memory devices, optical storage, and accessible through a transmission

media or from a file over a file server. (Spec., pg. 22, lines 5-23). With respect to the preamble, the Specification discloses how the PIM server 24 in server 4 in FIG. 1 may transmit scheduled event records to a wireless device for a calendar time period. (Spec., pg. 15, lines 16-27).

The first limitation requires maintaining an association of codes with promoted events sponsored by third party entities. With respect to this requirement, the Specification discloses that the server 504 has an event code table 526 providing a mapping of event codes to scheduled event records from event promoters. (Spec., pg. 17, line 28 to pg. 18, line 10)

With respect to the requirement that the received codes are provided to the users of the wireless device from a source external to the server and with a promotion of a promoted event sponsored by a third party entity, the Specification discloses that the promotion of the event that may provide a code may be observed (Spec., pg. 17, lines 14-21) or transmitted from a location transmitter 610 (Spec., pg. 20, lines 15-21, FIG. 13) or transmitted from some external device via a wireless transmission. (Spec., pg. 21, lines 28-29)

The second limitation requires that the server maintain a calendar database having personal information for the users of the wireless devices. With respect to this limitation, the Specification discloses that the server 4 has a PIM database 22 having user PIM information. (Spec., pg. 7, lines 3-8).

The third limitation requires that the server receive a code associated with one promoted event sponsored by one third party entity transmitted from one of the wireless devices. With respect to this limitation, the Specification discloses at block 550 in FIG. 11 that the PIM server 524 receives an event code from the wireless device 502. (Spec., pg. 18, lines 12-13).

The fourth limitation requires that the server determines a scheduled event record including information on the promoted event corresponding to the received code. With respect to this limitation, the Specification discloses that the server determines at block 552 in FIG. 11 from the event code table 526 the scheduled event record corresponding to the event code. (Spec., pg. 18, lines 23-25).

The fifth limitation requires that the server adds the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code. With respect to this limitation, the Specification discloses that the server 524 adds at block 556 in FIG. 11 the determined scheduled event record to the user records of the wireless device that transmitted the code. (Spec., pg. 18, lines 23-27).

The sixth limitation requires that the server transmits the determined scheduled event record to the wireless device that transmitted the code. With respect to this limitation, the Specification discloses that the PIM server responds to data requests from PIM clients. (Spec., pg. 7, lines 24-26) and that once the scheduled event corresponding to the event code is added to user records, the user may review the scheduled event at the wireless device. (Spec., pg. 18, line 23 to pg. 19, line 1, pg. 21, lines 13-18)

With respect to the claim limitation that the wireless device is capable of rendering calendar information including information on the scheduled event included in the transmitted scheduled event record, the Specification discloses the user may review the scheduled event at the wireless device, such as shown in FIG. 12. (Spec., pg. 18, line 27 to pg. 19, line 29)

J. Independent Claim 45

Independent claim 45 is directed to an article of manufacture including a program implemented in a wireless device to provide information on a scheduled event to a personal information manager (PIM) application. The Specification discloses that the PIM server may be implemented as an article of manufacture comprising code or logic implemented in hardware logic, a computer readable medium, memory devices, optical storage, and accessible through a transmission media or from a file over a file server. (Spec., pg. 22, lines 5-23). With respect to the preamble, the Specification discloses a wireless device 2 having a PIM client 20 program that provides information on scheduled events. (Specification, FIG. 1, pg. 6, line 10 to pg. 7, line 2).

The first limitation requires that the wireless device receives a scheduled event record including information on a scheduled event transmitted from a transmitter system for a promoted event sponsored by a third party entity including at least one scheduled event record when the wireless device is within a broadcast range of the transmitter

system. With respect to this limitation, the Specification discloses that the wireless device 602 upon establishing communication with the location transmitter 610 receives an event list and receive scheduled event records 612a...n from the location transmitter 610 concerning events promoted by event promoters. (Spec., pg. 20, line 1 to pg. 21, line 18).

The second limitation requires that the wireless device render calendar information including information on the promoted event included in the scheduled event record. With respect to this limitation, the Specification discloses that the wireless device renders at block 680 in FIG. 14 the scheduled event records for calendar display. (Spec., pg. 21, lines 1-6)

The third limitation requires that the wireless device transmit the scheduled event record for the promoted event to a server including a calendar database for a user of the transmitting wireless device including scheduled event records, wherein the server stores the transmitted scheduled event record for the promoted event with the calendar database records for the user of the wireless. With respect to this requirement, the Specification discloses that the wireless device 602 synchronizes with the PIM database 622 in the PIM server and transmits new information, such as scheduled event records 612a...n received from the location transmitter. (Spec., pg. 21, lines 3-6). The Specification discloses that the server 504 includes a PIM database as shown in FIG. 10, where the PIM database has user records 50 shown in FIG. 2 that have scheduled events and calendar information.

(Spec., pg. 17, line 26 to pg. 18, line 10; pg. 18, line 28 to pg. 19, line 1)

VI. Grounds of Rejection to Be Reviewed on Appeal

A concise statement listing each ground of rejection presented for review is as follows:

A. Claims 1-3, 5-11, 13-17, 20-25, 27-29, 32-35, 37-43, 45-49, and 52 are rejected as anticipated (35 U.S.C. §102(e)) by Berenson (U.S. Patent Pub. No. 2001/0049617).

B. Claims 4 and 36 are rejected as obvious (35 U.S.C. §103(a)) over Berenson in view of “Extended Systems” (“IrDA versus Bluetooth: A Complementary Comparison”, downloaded from www.dpi.net.ir on 3/8/05),

C. Claims 12, 19, 26, 31, 44, and 51 are rejected as obvious (35 U.S.C. §103(a)) over Berenson in view of Ciarlante (U.S Patent No. 6,532,488).

VII. Argument

A. Rejection Under 35 U.S.C. §102 as Anticipated by Berenson

1. Claims 1, 2, 6, 21, 33, 34, 38

Independent claims 1, 21, and 33 concern a wireless device to provide information on a scheduled event in a personal information manager (PIM) application, wherein the wireless device performs: receiving a code provided with a promotion of a promoted event sponsored by a third party entity; transmitting the received code to a server including a calendar database having personal calendar information for the user of the transmitting wireless device including scheduled event records, wherein the server maintains an association of promoted event codes with third party entities sponsoring the promoted events, and wherein the received code is provided from a source external to the server; receiving from the server a scheduled event record including information on the promoted event associated with the code; and rendering calendar information from the calendar database at the wireless device including information on the scheduled event included in the scheduled event record.

The Examiner cited paras. [0027] and [0029] of Berenson as disclosing the claim requirements of a wireless device receiving a code provided with a promotion of a promoted event sponsored by a third party entity and that the received code is provided from a source external to a server to which the received code is transmitted. (FOA, pg. 2).

The cited para. [0027] mentions that a user may request event messages by requesting a reminder for a particular broadcast program by following a link from the public events schedule or by entering the particular event in a search request query. The event message requests from either method are stored in the user database, and are sent at an appropriate time.

The cited para. [0029] mentions that criteria requests are handled by the system or calendaring system providing the reminders for events. The user described searches

having criteria are used to generate reminders for events stored in the system. At the appropriate time, defined by the calendaring system, the reminder for the event is sent to the user in an event message.

Applicants submit that a user entering search requests at a calendaring system for the purposes of receiving event reminders as discussed in the cited paras. [0027] and [0029] does not disclose the combination of claim requirements that a wireless device receive a code provided with the promotion of a promoted event from a source external to the server, and then transmit that code to the server having the calendar database. A user entering a search criteria as mentioned in the cited Berenson does not disclose a wireless device receiving a code provided with the promotion of a promoted event from a source external to the server or calendaring system as claimed.

For instance, Berenson mentions that a user may enter a program listing web site and view a schedule of events or programs that are available. (Berenson, para. [0021], pg. 2) The user may request that the calendaring system remind the user when the program is to be broadcast or schedule the broadcast into the user's electronic calendar. (Berenson, para. [0024], pg. 2) However, there is no disclosure in the cited Berenson that wireless device receive a code with a promoted event from a source external to the server and then transmit the code to the server having the user's personal calendar information to receive a scheduled event record from the server. Instead, Berenson discusses how a user may select to receive reminders on an event from the program listing web site and that the event may be put in the user's electronic personal calendaring system. (Berenson, para. [0031], pg. 3) Although the cited Berenson discusses how an event from a program listing web site may be added to the user's electronic calendar, this still does not disclose that a wireless device transmit a code for a promoted event to the server having the user's personal calendar information and then receive scheduled event information on the promoted event from the server.

In the Response to Arguments, the Examiner found that the limitation requiring a code is not specific enough to overcome the prior art rejection and that the format of the code is not clear. (FOA, pg. 8)

Applicants submit that the claims are clear about the nature of the code -- a code provided with a promotion of a promoted event; the origin of the code -- from a source

external to the server, and the use of the code -- to cause the server to provide the user a scheduled event record on the promoted event associated with the code in response to the wireless device receiving the code and transmitting said code to the server. Applicants submit that that these claimed code requirements are clear and distinguish the claims from the cited Berenson.

In the Response to Arguments, the Examiner further found that the cited hyperlink text in para. [0021] of Berenson discloses the claimed code. (FOA, pg. 8) Applicants traverse because the cited para. [0021] mentions that a user may access a web site, enter some personal information, and then select a hypertext link to select a particular television program on a television grid. Nowhere does this cited para. [0021] anywhere disclose or mention the claim requirements that a wireless device receive a code provided with the promotion of a promoted event from a source external to the server, and then transmit that code to the server having the user's personal calendar information. Instead, the cited para. [0021] discusses how a user may select a hypertext link of a program on a television program web site to obtain more information on the program.

The Examiner further found that para. [0020] of Berenson discloses promoted events. (FOA, pgs. 8-9) The cited para. [0020] mentions that the embodiments are applicable to other events and venues, such as private events, artistic events, etc. Applicants submit that this aspect of Berenson does not concern the distinguishing claim requirements, which do not claim a specific type of promoted event, e.g., artistic, sporting, campus, etc. Nowhere does this cited para. [0020] anywhere disclose or mention the combination of claim requirements that a wireless device receive a code provided with the promotion of a promoted event from a source external to the server, and then transmit that code to the server having the calendar database.

The Examiner further found at point (C) in the Response to Arguments that paras. [0020] and [0021] of Berenson disclose that the received code is provided from a source external to the server. (FOA, pg. 9) The cited para. [0020] discusses that the embodiments concern providing event schedules for many different types of events (e.g., sporting, artistic, private, etc.), but does not disclose the source of the code for a promoted event as from a source external to the server. The cited para. [0021] discusses

how the user may obtain information on scheduled events by going to the web site for an event's listing. Nowhere do these cited paragraphs anywhere disclose the combination of requirements that a wireless device receive a code provided with the promotion of a promoted event from a source external to the server, and then transmit that code to the server having the calendar database.

The Examiner further found that the cited para. [0029] discloses the claim requirement that the server maintains an association of promoted event codes, transmitted from a source external to the wireless device, with third party entities sponsoring the promoted events. (FOA, pg. 2)

As discussed, the cited para. [0029] mentions that a user enters a search for events that are put in a list of personal searches for a user that are used to generate reminders for events. Nowhere does the cited para. [0029] disclose the claim requirement that the server including the user personal calendar information also maintain an association of promoted event codes, transmitted from an external source to a wireless device, with the third party entities sponsoring the promoted events.

The cited Berenson mentions that the scheduled event may be scheduled into the user's personal calendar. However, the Examiner has not cited any part of Berenson that discloses that the server including the personal calendar information also maintain an association of promoted event codes, which are transmitted from an external source to a wireless device.

For all the above reasons, Applicants request that the rejection of claims 1, 21, and 33 be reversed because the cited art does not disclose all the requirements of these claims.

Applicants further request the reversal of the rejection of claims 2, 6, 34, and 38. These claims are patentable over the cited art because they depend from one of claims 1, 21, and 33, which are patentable over the cited art for the reasons discussed.

2. Claims 3 and 35

Claims 3 and 35 depend from claims 1 and 33, respectively, and further require that the code is transmitted to the wireless device via a wireless transmission medium.

The Examiner found that para. [0045] of Berenson discloses that the code is transmitted to the wireless device via a wireless transmission medium. (FOA, pg. 3)

The cited para. [0045] discusses how the user receives event messages, such as via phone, PDA, wireless device, etc.

The cited para. [0045] concerns sending messages on an event , such as a reminder for the specific event. (See, para. [0046]). However, the claim requires the wireless device receiving a code from a source external to the server having the personal calendar information, such that the code is then transmitted to the server having the calendar information. There is no disclosure in Berenson that the event message providing a reminder of the event be sent from a source external to the server having the personal calendar information and that the wireless device transmit that code back to the server having the personal calendar information. Instead, the cited event message provides a reminder notification event.

Accordingly, Applicants request the reversal of the rejection of claims 3 and 35 because these claims depend from claims 1 and 33, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims are not disclosed in the cited art.

3. Claims 5, 22, and 37

Claims 5, 22, and 37 depend from claims 1, 21, and 33, respectively, and further require that the information on the scheduled event record is displayed with the calendar information at the wireless device as a non-committed event.

The Examiner's found that para. [0024] of Berenson discloses the claim requirements that information on the scheduled event record is displayed with the calendar information at the wireless device as a non-committed event. (FOA, pg. 3)

The cited para. [0024] mentions that the user may request that the calendaring system remind the user when a certain program is to be broadcast or even to schedule the broadcast of the program into the user's electronic calendar. The user may also request

that the calendaring system notify the viewer programs matching certain user selected event criteria are scheduled to be broadcast. The event criteria may have different criteria.

Nowhere does the cited para. [0024] anywhere disclose or mention that the event record is displayed with calendar information as a non-committed event. The cited para. [0024] nowhere discloses or mentions displaying events as non-committed. Instead, the cited para. [0024] discusses how the user may view programs matching the selected criteria. However, this does not disclose that events are displayed as non-committed.

Accordingly, Applicants request the reversal of the rejection of claims 5, 22, and 37 because these claims depend from claims 1, 21, and 33, respectively, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims are not disclosed in the cited art.

4. Claims 7 and 39

The Examiner cited paras. [0027] and [0029] on pg. 2 of Berenson as disclosing the claim requirements that receiving the code further comprises receiving a plurality of codes associated with promoted events sponsored by at least one third party entity, wherein transmitting the code to the server comprises transmitting the plurality of codes, wherein receiving the scheduled event record from the server further comprises receiving one scheduled event record for each transmitted code, and wherein rendering calendar information at the wireless device including information on the scheduled event comprises rendering information on scheduled events for the received scheduled event records. (FOA, pg. 3).

The cited para. [0029] mentions that a user describes a search that may be put into a list of personal searches stored by the user database, which are used to generate reminders for events stored in the system, and at the appropriate time the reminder is sent to the user in an event message. The cited para. [0027] also discusses how a user may request event message by request a reminder for a particular program, following a link, or event criteria. Nowhere do the cited paragraphs anywhere disclose or mention that a wireless devices receives a plurality of codes associated with promoted events from a source external to the server, and then transmits those codes to the server. Instead, the

cited paragraphs discuss how the user may enter personal searches into a list in a calendar server used to generate reminders for events.

Accordingly, Applicants request the reversal of the rejection of claims 7 and 39 because these claims depend from claims 1 and 33, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims are not disclosed in the cited art.

5. Claims 8, 10, 23, 24, 40, and 42

Independent claims 8, 23, and 40 concern a server providing scheduled events for users of wireless devices, wherein the wireless devices are capable of displaying calendar information on scheduled events, and require: maintaining an association of codes with promoted events sponsored by third party entities, wherein the received code is provided to the user of the wireless device from a source external to the server and provided with a promotion of a promoted event sponsored by a third party entity; maintaining a calendar database having personal information for the users of the wireless devices; receiving a code associated with one promoted event sponsored by one third party entity transmitted from the wireless device; determining a scheduled event record including information on the promoted event corresponding to the received code; and adding the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code; adding the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code; and transmitting the determined scheduled event record to the wireless device that transmitted the code, wherein the wireless device is capable of rendering calendar information including information on the scheduled event included in the transmitted scheduled event record.

The Examiner cited paras. [0024] and [0027] of Berenson as disclosing the claim requirement that the server maintains an association of codes with promoted events, where the codes are provided to the users of the wireless device from a source external to the server, and that the server also maintains a calendar database having personal information for the users of the wireless devices. (FOA, pgs. 3-4)

The cited para. [0024] mentions that the broadcast of the program, corresponding to the promoted event, be scheduled in the user's electronic calendar, and that the

calendaring system notify the viewer for events satisfying a user-selected event criteria. The cited para. [0027] discusses how a user may request an event reminder, by requesting a reminder for a particular program or by providing an event criteria request.

Nowhere do the cited paras. [0024] and [0027] disclose that a server that maintains a calendar database having personal information for users of the wireless devices also maintain an association of codes with events sponsored by third party entities, where the code is provided to the wireless devices from a source external to the server. Instead, the cited para. [0024] discusses how a program broadcast can be scheduled into a user's electronic calendar and how the user may specify criteria for events for which notification is to be received.

The Examiner cited para. [0030] of Berenson as disclosing the claim requirement of the server determining a scheduled event record including information on the promoted event corresponding to the received code. (FOA, pg. 4) Applicants traverse.

The cited para. [0030] discusses how event criteria requests are stored, and that an event message processor checks the criteria against an event schedule and generates event messages that will be sent to the users. Although the cited para. [0030] discusses how event messages may be sent to users, there is no disclosure of the claim requirement that a server determine a scheduled event record having information on a promoted event that corresponds to the received code. Applicants submit that the cited operation of determining criteria for event notifications does not disclose the claimed determining a scheduled event record corresponding to a code from a wireless device.

The Examiner cited para. [0029] of Berenson as disclosing the requirement of adding the determined schedule event record, corresponding to the code, to the calendar database for the user of the wireless device that transmitted the code. (FOA, pg. 4).

The cited para. [0029] discusses how a system handles search criteria for an events database that are used to generate reminders for events stored in the system. The reminders are stored and at a time defined by the calendaring system, a reminder is sent to the user in an event message. Nowhere does the cited para. [0029] anywhere disclose that a system adds a scheduled event record determined to correspond to a code received from the wireless device to the user calendar database. The cited Berenson does not disclose how a code received from a wireless device is used to determine a scheduled

event record that may be added to the user calendar database. Instead, the cited Berenson discusses how notification messages matching a criteria are sent.

For all the above reasons, Applicants request that the rejection of claims 8, 23, and 40 be reversed because the cited art does not disclose all the requirements of these claims.

Applicants further request the reversal of the rejection of claims 10, 24, and 42. These claims are patentable over the cited art because they depend from one of claims 8, 23, and 40, which are patentable over the cited art for the reasons discussed.

6. Claims 9 and 41

Claims 9 and 41 depend from claims 8 and 40 and further require providing a data structure including a plurality of codes and associating with each code one scheduled event record, wherein determining the scheduled event record corresponding to the received code comprises searching the data structure for one code matching the received code transmitted from the wireless device and the associated scheduled event record.

The Examiner found that para. [0027] of Berenson discloses the additional requirements of these claims. (FOA, pg. 4) Applicants traverse.

The cited para. [0027] discusses how a user may request an event reminder by requesting a reminder for a particular program or by providing an event criteria request. A program searches for any unfulfilled event message requests and sends them at the appropriate time.

The claims require a server searching the data structure for a scheduled event record matching a received code so that the server may add the scheduled event record to personal calendar information for the user. The cited para. [0027] describes a different process where a determination is made as to whether events satisfy a search criteria, such that event message requests that match the criteria are stored in a user database and sent at the appropriate time. Nowhere does the cited para. [0027] disclose that a code received from a wireless device that the wireless device received from a source external to the server is used to determine a scheduled event record for a promoted event to add to the calendar database of the user. Instead, the code used to determine an event message mentioned in para. [0027] comprises a search criteria entered by the user to locate events

satisfying the criteria. This cited search criteria does not comprise the claimed code received from a wireless device that is provided to the user of the wireless device from a source external to the server.

Accordingly, Applicants request the reversal of the rejection of claims 9 and 41 because these claims depend from claims 8 and 40, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims are not disclosed in the cited art.

7. Claims 11, 25, and 43

Claims 11, 25, and 43 depend from claims 8, 23, and 40, respectively, and further require that the scheduled event records and codes are provided for different event promoters.

The Examiner cited para. [0020] of Berenson as disclosing the requirements of these claims. (FOA, pg. 4) Applicants traverse.

The cited para. [0020] mentions that the event schedule system for providing information on events applies to television program information, and may apply to other types of events.

Although the cited para. [0020] mentions that the described event messaging system may be used for different events, there is no disclosure that one server maintain an association of scheduled events and codes for different event promoters. Instead, the cited para. [0020] discusses how a system may be used for different types of events, but not that one system itself provides scheduled events for promoted events from different event promoters.

Accordingly, Applicants request the reversal of the rejection of claims 3 and 35 because these claims depend from claims 11, 25, and 43, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims are not disclosed in the cited art.

8. Claims 13, 14, 15, 16, 27, 28, 45, 46, 47, and 48

Independent claims 13, 27, and 45 concern a wireless device providing information on a scheduled event to a personal information manager (PIM) application,

wherein the wireless device performs: receiving a scheduled event record including information on a scheduled event transmitted from a transmitter system for a promoted event sponsored by a third party entity including at least one scheduled event record when the wireless device is within a broadcast range of the transmitter system; rendering calendar information at the wireless device including information on the promoted event included in the scheduled event record; and transmitting the scheduled event record for the promoted event to a server including a calendar database for a user of the transmitting wireless device including scheduled event records, wherein the server stores the transmitted scheduled event record for the promoted event with the calendar database records for the user of the wireless device.

The Examiner cited para. [0030] of Berenson as disclosing that the wireless device receiving and rendering calendar information on a scheduled event record for a promoted event transit the scheduled event record for the promoted event to a server including a calendar database for a user of the transmitting wireless device including scheduled event records, wherein the server stores the transmitted scheduled event record for the promoted event with the calendar database records for the user of the wireless device. (FOA, pg. 5) Applicants traverse.

The cited para. [0030] discusses how event criteria requests are stored, and that an event message processor checks the criteria against and event schedule and generates event messages that will be sent to the users. Although the cited para. [0030] discusses how event notifications are sent to users, nowhere is there any disclosure in the cited para. [0030] that the wireless device that receives a scheduled event record on a promoted event from a transmitter system also transmit the scheduled event record for the promoted event to a server that has the calendar database for the user of the transmitting wireless device, and that the server stores the transmitted scheduled event record for the promoted event with the calendar database records for the user of the wireless device. Instead, the cited para. [0030] discusses how a user may specify a set of criteria that is used to determine event reminders to send to the user.

For all the above reasons, Applicants request that the rejection of claims 13, 27, and 45 be reversed because the cited art does not disclose all the requirements of these claims.

Applicants further request the reversal of the rejection of claims 14, 15, 16, 28, 46, 47, and 48. These claims are patentable over the cited art because they depend from one of claims 13, 27, and 45, which are patentable over the cited art for the reasons discussed.

B. Rejection Under 35 U.S.C. §103 as Obvious Over Berenson in view of Extended Systems

1. Claims 4 and 36

Claims 4 and 36 depend from claims 3 and 35, which recite that the code is transmitted to the wireless device via a wireless transmission media, and further require that the code is transmitted to the wireless device, transmitted from the wireless device to the server, and rendered at the wireless device automatically without any intervening user action.

The Examiner cited pg. 4, para. 2 of Extended Systems as teaching the requirements of these claims. (FOA, pg. 7) Applicants traverse.

The cited pg. 4 of Extended Systems mentions that a phone may be synchronized with a PC if brought within the range of the PC, and may be synchronized while in the user's pocket while the user is moving around.

Although the cited pg. 4 discusses how two devices may synchronize without the person taking the phone out of their pocket, there is no teaching or suggestion in the cited section that the claimed three transmissions are performed without intervening user interaction, of transmitting the code to the wireless device, transmitting the code to the server, and rendering the code at the wireless device. Instead, the cited Extended Systems discusses how two devices may synchronize while the device remains in the user's pocket. This does not teach or suggest that the code is automatically transmitted to the wireless device, then to the server and then rendered at the wireless device without user action.

Accordingly, Applicants request the reversal of the rejection of claims 6 and 36 because these claims depend from claims 1 and 33, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims are not disclosed in the cited art.

C. Rejection Under 35 U.S.C. §103 as Obvious Over Berenson in view of Ciarlante

1. Claims 12, 26, and 44

Claims 12, 26, and 44 depend from claims 11, 25, and 43 and further require charging a fee to the event promoter to include one scheduled event record in the data structure in order to make scheduled event records for the promoter available to wireless devices in response to transmissions of the code associated with the scheduled event record.

The Examiner cited col. 12, lines 36-45 of Ciarlante as disclosing the additional requirements of claims 12, 26, and 44. (FOA, pg. 7) Applicants traverse.

The cited col. 12 mentions that a host system allows ISPs to charge users in many different ways for the use of hosted applications, such as a flat rate, rate per month, rate for disk usage per month, bytes transferred, use of applications, and use of hosting system.

Nowhere does the cited col. 12 teach or suggest that a fee is charged to an event promoter to include a scheduled event record in a data structure maintained by a server that has the user calendar database to make promoter scheduled event records available to wireless devices as claimed.

Accordingly, Applicants request the reversal of the rejection of claims 12, 26, and 44 because these claims depend from claims 8, 25, and 43, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims are not disclosed in the cited art.

VIII. Conclusion

Each of the rejections set forth in the Final Office Action with respect to claims 1-16, 21-28, and 33-48 are improper and should be reversed.

Respectfully submitted,

/David Victor/

David W. Victor
Reg. No. 39,867

Dated: April 9, 2007

Direct All Correspondence to:
David Victor
Konrad Raynes & Victor LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, California 90212
Tel: 310-553-7977
Fax: 310-556-7984

IX. Claims Appendix

1. (Previously Presented) A method implemented by a wireless device to provide information on a scheduled event in a personal information manager (PIM) application, wherein the wireless device performs:

receiving a code provided with a promotion of a promoted event sponsored by a third party entity;

transmitting the received code to a server including a calendar database having personal calendar information for a user of the transmitting wireless device including scheduled event records, wherein the server maintains an association of promoted event codes with third party entities sponsoring the promoted events, and wherein the received code is provided from a source external to the server;

receiving from the server a scheduled event record including information on the promoted event associated with the code; and

rendering calendar information from the calendar database at the wireless device including information on the scheduled event included in the scheduled event record.

2. (Original) The method of claim 1, wherein the code is entered via a user input mechanism on the wireless device.

3. (Original) The method of claim 1, wherein the code is transmitted to the wireless device via a wireless transmission medium.

4. (Original) The method of claim 3, wherein the code is transmitted to the wireless device, transmitted from the wireless device to the server, and rendered at the wireless device automatically without any intervening user action.

5. (Previously Presented) The method of claim 1, wherein information on the scheduled event record is displayed with the calendar information at the wireless device as a non-committed event.

6. (Original) The method of claim 1, wherein the code is transmitted to the server in response to user input at the wireless device.

7. (Previously Presented) The method of claim 1, wherein receiving the code further comprises receiving a plurality of codes associated with promoted events sponsored by at least one third party entity, wherein transmitting the code to the server comprises transmitting the plurality of codes, wherein receiving the scheduled event record from the server further comprises receiving one scheduled event record for each transmitted code, and wherein rendering calendar information at the wireless device including information on the scheduled event comprises rendering information on scheduled events for the received scheduled event records.

8. (Previously Presented) A method implemented by a server to provide scheduled events for users of wireless devices, wherein the wireless devices are capable of displaying calendar information on scheduled events, comprising:

maintaining an association of codes with promoted events sponsored by third party entities, wherein the received codes are provided to the users of the wireless device from a source external to the server and with a promotion of a promoted event sponsored by a third party entity;

maintaining a calendar database having personal information for the users of the wireless devices;

receiving a code associated with one promoted event sponsored by one third party entity transmitted from one of the wireless devices;

determining a scheduled event record including information on the promoted event corresponding to the received code;

adding the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code; and

transmitting the determined scheduled event record to the wireless device that transmitted the code, wherein the wireless device is capable of rendering calendar information including information on the scheduled event included in the transmitted scheduled event record.

9. (Original) The method of claim 8, further comprising:
providing a data structure including a plurality of codes and associating with each code one scheduled event record, wherein determining the scheduled event record corresponding to the received code comprises searching the data structure for one code matching the received code transmitted from the wireless device and the associated scheduled event record.

10. (Original) The method of claim 8, wherein a plurality of codes are received from the wireless device and one determined scheduled event record for each code is transmitted to the wireless device transmitting the plurality of codes.

11. (Original) The method of claim 8, wherein scheduled event records and codes are provided for different event promoters.

12. (Original) The method of claim 11, further comprising:
charging a fee to the event promoter to include one scheduled event record in the data structure in order to make scheduled event records for the promoter available to wireless devices in response to transmissions of the code associated with the scheduled event record.

13. (Previously Presented) A method implemented by a wireless device to provide information on a scheduled event to a personal information manager (PIM) application, wherein the wireless device performs:

receiving a scheduled event record including information on a scheduled event transmitted from a transmitter system for a promoted event sponsored by a third party entity including at least one scheduled event record when the wireless device is within a broadcast range of the transmitter system;

rendering calendar information at the wireless device including information on the promoted event included in the scheduled event record; and

transmitting the scheduled event record for the promoted event to a server including a calendar database for a user of the transmitting wireless device including

scheduled event records, wherein the server stores the transmitted scheduled event record for the promoted event with the calendar database records for the user of the wireless device.

14. (Original) The method of claim 13, further comprising:
receiving user input to accept the scheduled event record, wherein information on the scheduled event in the scheduled event record is rendered with calendar information and wherein the scheduled event record is transmitted to the server to include in the calendar database for the user of the wireless device after receiving the user input to accept the scheduled event record.

15. (Previously Presented) The method of claim 13, further comprising:
receiving a list of scheduled events for promoted events from at least one third party entity from the transmitter system;
receiving user input selecting at least one of the scheduled events on the list for one promoted event; and
transmitting information on the selected at least one scheduled event to the transmitter system, wherein receiving the scheduled event record further comprises receiving one scheduled event record for each selected scheduled event.

16. (Original) The method of claim 15, wherein rendering the calendar information at the wireless device further comprises rendering information on the scheduled event included in each received scheduled event record, and wherein transmitting the scheduled event to the server further comprises transmitting each scheduled event to the server.

17. (Previously Presented) A method implemented by a transmitter for transmitting information on scheduled events, comprising:
providing information on at least one scheduled event record, wherein each scheduled event record includes information on a scheduled promoted event sponsored by an event promoter; and

transmitting the at least one scheduled event record for at least one promoted event sponsored by at least one event promoter to wireless devices within a broadcast range of the location transmitter, wherein the wireless device adds the scheduled event record to calendar information for a user of the wireless device.

18. (Canceled)

19. (Previously Presented) The method of claim 17, wherein the event promoter pays a fee to have the transmitter system broadcast scheduled event records having information on events offered by the event promoter.

20. (Previously Presented) The method of claim 17, further comprising:
transmitting a list of scheduled promoted events from at least one event promoter;
receiving, from the wireless device, user input indicating selection of at least one of the scheduled promoted events on the list; and
transmitting the scheduled event record for each selected scheduled event to the wireless device from which the user input was received.

21. (Previously Presented) A wireless device providing information on a scheduled event in a personal information manager (PIM) application, wherein the wireless device is in wireless communication with a server including a calendar database for a user of the transmitting wireless device including scheduled event records, wherein the wireless device comprises:

means for receiving a code provided with a promotion of a promoted event sponsored by a third party entity;
means for transmitting the received code to the server, wherein the server maintains an association of promoted event codes with third party entities sponsoring the promoted events, and wherein the received code is provided from a source external to the server;
means for receiving from the server a scheduled event record including information on the promoted event associated with the code; and

means for rendering calendar information from the calendar database at the wireless device including information on the scheduled event included in the scheduled event record.

22. (Original) The wireless device of claim 21, wherein the scheduled event record comprises a shadowed scheduled event record, wherein information on the shadowed scheduled event is displayed with the calendar information at the wireless device as a non-committed event.

23. (Previously Presented) A server system providing scheduled events for users of wireless devices in communication with the server system, wherein the wireless devices are capable of displaying calendar information on scheduled events, wherein the server system comprises:

means for maintaining an association of codes with promoted events sponsored by third party entities, wherein the codes are provided to users of the wireless device from a source external to the server and with a promotion of a promoted event sponsored by a third party entity;

maintaining a calendar database having personal information for the users of the wireless devices;

means for receiving a code associated with one promoted event sponsored by one third party entity transmitted from one of the wireless devices;

means for determining a scheduled event record including information on the promoted event corresponding to the received code;

adding the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code; and

means for transmitting the determined scheduled event record to the wireless device that transmitted the code, wherein the wireless device is capable of rendering calendar information including information on the scheduled event included in the transmitted scheduled event record.

24. (Original) The server system of claim 23, wherein a plurality of codes are received from the wireless device and one determined scheduled event record for each code is transmitted to the wireless device transmitting the plurality of codes.

25. (Original) The server system of claim 23, wherein scheduled event records and codes are provided for different event promoters.

26. (Original) The server system of claim 25, further comprising:
means for charging a fee to the event promoter to include one scheduled event record in the data structure in order to make scheduled event records for the promoter available to wireless devices in response to transmissions of the code associated with the scheduled event record.

27. (Previously Presented) A wireless device for providing information on a scheduled event in a personal information manager (PIM) application, wherein the wireless device is capable of communicating with a transmitter system and a server, wherein the server maintains a calendar database for the user of the transmitting wireless device including scheduled event records, and wherein the wireless device comprises:

means for receiving a scheduled event record including information on a scheduled event transmitted from the transmitter system for a promoted event sponsored by a third party entity including at least one scheduled event record when the wireless device is within a broadcast range of the transmitter system;

means for rendering calendar information at the wireless device including information on the promoted event included in the scheduled event record; and

means for transmitting the scheduled event record for the promoted event to the server, wherein the server stores the transmitted scheduled event record for the promoted event with the calendar database records for the user of the wireless device.

28. (Previously Presented) The wireless device of claim 27, further comprising:

means for receiving a list of scheduled events for promoted events from at least one third party entity from the transmitter system;

means for receiving user input selecting at least one of the scheduled events on the list for one promoted event; and

means for transmitting information on the selected at least one scheduled event to the transmitter system, wherein receiving the scheduled event record further comprises receiving one scheduled event record for each selected scheduled event.

29. (Previously Presented) A transmitter for transmitting information on scheduled events, wherein the transmitter is capable of communicating with wireless devices, comprising:

means for providing information on at least one scheduled event record, wherein each scheduled event record includes information on a scheduled promoted event sponsored by an event promoter; and

means for transmitting the at least one scheduled event record for at least one promoted event sponsored by at least one event promoter to wireless devices within a broadcast range of the location transmitter, wherein the wireless device adds the scheduled event record to calendar information for a user of the wireless device.

30. (Canceled)

31. (Previously Presented) The transmitter of claim 29, wherein the event promoter pays a fee to have the transmitter system broadcast scheduled event records having information on events offered by the event promoter.

32. (Previously Presented) The transmitter of claim 29, further comprising:

means for transmitting a list of scheduled promoted events from at least one event promoter;

means for receiving, from the wireless device, user input indicating selection of at least one of the scheduled promoted events on the list; and

means for transmitting the scheduled event record for each selected scheduled event to the wireless device from which the user input was received.

33. (Previously Presented) An article of manufacture including a program implemented in a wireless device to provide information on a scheduled event in a personal information manager (PIM) application, wherein the wireless device is in communication with a transmitter system, wherein the program causes the wireless device to perform:

receiving a code provided with a promotion of a promoted event sponsored by a third party entity;

transmitting the received code to a server including a calendar database having personal calendar information for the user of the transmitting wireless device including scheduled event records, wherein the server maintains an association of promoted event codes with third party entities sponsoring the promoted events, and wherein the received code is provided from a source external to the server;

receiving from the server a scheduled event record including information on the promoted event associated with the code; and

rendering calendar information from the calendar database at the wireless device including information on the scheduled event included in the scheduled event record.

34. (Original) The article of manufacture of claim 33, wherein the code is entered via a user input mechanism on the wireless device.

35. (Original) The article of manufacture of claim 33, wherein the code is transmitted to the wireless device via a wireless transmission medium.

36. (Original) The article of manufacture of claim 35, wherein the code is transmitted to the wireless device, transmitted from the wireless device to the server, and rendered at the wireless device automatically without any intervening user action.

37. (Previously Presented) The article of manufacture of claim 33, wherein information on the scheduled event record is displayed with the calendar information at the wireless device as a non-committed event.

38. (Original) The article of manufacture of claim 33, wherein the code is transmitted to the server in response to user input at the wireless device.

39. (Previously Presented) The article of manufacture of claim 33, wherein receiving the code further comprises receiving a plurality of codes associated with promoted events sponsored by at least one third party entity, wherein transmitting the code to the server comprises transmitting the plurality of codes, wherein receiving the scheduled event record from the server further comprises receiving one scheduled event record for each transmitted code, and wherein rendering calendar information at the wireless device including information on the scheduled event comprises rendering information on scheduled events for the received scheduled event records.

40. (Previously Presented) An article of manufacture including a program implemented in a server to provide scheduled events for users of wireless devices, wherein the wireless devices are capable of displaying calendar information on scheduled events, and wherein the program causes the server to perform:

maintaining an association of codes with promoted events sponsored by third party entities, wherein the received code is provided to the user of the wireless device from a source external to the server and with a promotion of a promoted event sponsored by a third party entity;

maintaining a calendar database having personal information for the users of the wireless devices;

receiving a code associated with one promoted event sponsored by one third party entity transmitted from one of the wireless devices;

determining a scheduled event record including information on the promoted event corresponding to the received code;

adding the determined schedule event record to the calendar database for the user of the wireless device that transmitted the code; and

transmitting the determined scheduled event record to the wireless device that transmitted the code, wherein the wireless device is capable of rendering calendar information including information on the scheduled event included in the transmitted scheduled event record.

41. (Original) The article of manufacture of claim 40, further comprising:
providing a data structure including a plurality of codes and associating with each code one scheduled event record, wherein determining the scheduled event record corresponding to the received code comprises searching the data structure for one code matching the received code transmitted from the wireless device and the associated scheduled event record.

42. (Original) The article of manufacture of claim 40, wherein a plurality of codes are received from the wireless device and one determined scheduled event record for each code is transmitted to the wireless device transmitting the plurality of codes.

43. (Original) The article of manufacture of claim 40, wherein scheduled event records and codes are provided for different event promoters.

44. (Original) The article of manufacture of claim 43, further comprising:
charging a fee to the event promoter to include one scheduled event record in the data structure in order to make scheduled event records for the promoter available to wireless devices in response to transmissions of the code associated with the scheduled event record.

45. (Previously Presented) An article of manufacture including a program implemented in a wireless device to provide information on a scheduled event to a personal information manager (PIM) application, wherein the wireless device is in

communication with a transmitter system and a server, wherein the program causes the wireless device to perform:

receiving a scheduled event record including information on a scheduled event transmitted from the transmitter system for a promoted event sponsored by a third party entity including at least one scheduled event record when the wireless device is within a broadcast range of the transmitter system;

rendering calendar information at the wireless device including information on the promoted event included in the scheduled event record; and

transmitting the scheduled event record for the promoted event to the server including a calendar database for the user of the transmitting wireless device including scheduled event records, wherein the server stores the transmitted scheduled event record with the calendar database records for the user of the wireless device.

46. (Original) The article of manufacture of claim 45, further comprising:

receiving user input to accept the scheduled event record, wherein information on the scheduled event in the scheduled event record is rendered with calendar information and wherein the scheduled event record is transmitted to the server to include in the calendar database for the user of the wireless device after receiving the user input to accept the scheduled event record.

47. (Previously Presented) The article of manufacture of claim 45, further comprising:

receiving a list of scheduled events for promoted events from at least one third party entity from the transmitter system;

receiving user input selecting at least one of the scheduled events on the list for one promoted event; and

transmitting information on the selected at least one scheduled event to the transmitter system, wherein receiving the scheduled event record further comprises receiving one scheduled event record for each selected scheduled event.

48. (Original) The article of manufacture of claim 47, wherein rendering the calendar information at the wireless device further comprises rendering information on the scheduled event included in each received scheduled event record, and wherein transmitting the scheduled event to the server further comprises transmitting each scheduled event to the server.

49. (Previously Presented) An article of manufacture including a program implemented in a computer transmitting device for transmitting information on scheduled events, wherein the computer transmitting device is in communication with wireless devices, wherein the program causes the computer transmitting device to perform:

providing information on at least one scheduled event record, wherein each scheduled event record includes information on a scheduled promoted event sponsored by an event promoter; and

transmitting the at least one scheduled event record for at least one promoted event sponsored by at least one event promoter to the wireless devices within a broadcast range of the computer transmitting device, wherein the wireless devices adds the scheduled event record to calendar information for a user of the wireless device.

50. (Canceled)

51. (Original) The article of manufacture of claim 49, wherein the event promoter pays a fee to have the computer transmitting device broadcast scheduled event records having information on events offered by the event promoter.

52. (Previously Presented) The article of manufacture of claim 49, further comprising:

transmitting a list of scheduled promoted events from at least one event promoter;
receiving, from the wireless device, user input indicating selection of at least one of the scheduled promoted events on the list; and

transmitting the scheduled event record for each selected scheduled event to the wireless device from which the user input was received.

X. Evidence Appendix

None

XI. Related Proceedings Appendix

None